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*Attorneys for Defendant Merck & Co., Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SOCORRO RIVERA and LUIS RIVERA,	:	No.: 07 Civ 10670
	:	
Plaintiffs,	:	<b>NOTICE OF MOTION OF</b>
	:	<b>DEFENDANT MERCK &amp; CO., INC.</b>
-against-	:	<b>TO STAY ALL PROCEEDINGS</b>
	:	<b>PENDING A DECISION ON</b>
MERCK & CO., INC.,	:	<b>TRANSFER BY THE JUDICIAL</b>
	:	<b>PANEL ON MULTIDISTRICT</b>
Defendant.	:	<b>LITIGATION</b>
	:	
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PLEASE TAKE NOTICE that, upon Defendant Merck & Co., Inc.'s Notice of Motion, the Declaration of Vilia B. Hayes, and the accompanying Memorandum of Law in Support of Motion to Stay All Proceedings Pending a Decision on Transfer by the Judicial Panel on Multidistrict Litigation, Defendant Merck & Co., Inc. will move this Court before the Honorable George B. Daniels at a date to be set by the Court, in the United States Courthouse for the Southern District of New York, for an Order staying all proceedings pending a decision on the

transfer of this case to the MDL proceeding that has been established in the Eastern District of Louisiana.

Dated: November 30, 2007

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By: Vilia B. Hayes  
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*Attorneys for Defendant Merck & Co., Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 29<sup>th</sup> day of November, 2007, I caused a copy of the foregoing NOTICE OF MOTION OF DEFENDANT MERCK & CO., INC. TO STAY ALL PROCEEDINGS PENDING A DECISION ON TRANSFER BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION, DECLARATION OF VILIA B. HAYES and MEMORANDUM OF LAW IN SUPPORT OF MOTION OF DEFENDANT MERCK & CO., INC. TO STAY ALL PROCEEDINGS PENDING A DECISION ON TRANSFER BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION to be served via first-class mail, postage prepaid, on the following:

Ira C. Podolsky, Esq.  
PODLOFSKY ORANGE & KOLENOVSKY  
98 Cutter Mill Road  
Suite 299-North  
Great Neck, New York 11021

The above addresses have appeared on the prior papers in this action as the office address of the attorneys for Plaintiffs.

Deponent is over the age of 18 years and not a party to this action.

I further certify under penalty of perjury that under the laws of the United States of America the foregoing is true and correct.

Executed on November 29, 2007

  
Richard T. R. Harper